

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

* * * * * CIVIL ACTION
THE ESTATE OF YARON UNGAR, * 00-105L
et al *
*
VS. * JUNE 15, 2010
*
THE PALESTINIAN AUTHORITY, *
et al * PROVIDENCE, RI
* * * * *

HEARD BEFORE THE HONORABLE RONALD R. LAGUEUX
SENIOR DISTRICT JUDGE
(DEFENDANTS' OBJECTION TO MAGISTRATE JUDGE'S MEMO AND
ORDER)

APPEARANCES:

FOR THE PLAINTIFFS: DAVID J. STRACHMAN, ESQ.
McIntyre, Tate & Lynch LLP
321 South Main Street
Providence, RI 02903

FOR THE DEFENDANTS: RICHARD A. HIBEY, ESQ.
Miller & Chevalier
655 Fifteenth Street, N.W.
Suite 900
Washington, D.C. 20005

DEMING SHERMAN, ESQ.
Edwards Angell Palmer &
Dodge LLP
2800 Financial Plaza
Providence, RI 02903

Court Reporter: Anne M. Clayton, RPR
One Exchange Terrace
Providence, RI 02903

Proceeding reported and produced by computer-aided
stenography

1 actions of the Israeli courts in granting a writ of
2 attachment, and there is now in the registry of the
3 country of Israel over one hundred million dollars
4 that's been withheld from payment to the Palestinian
5 Authority. So that's sufficient security.

6 If it turns out that the Israeli courts vacate
7 that attachment, then the Plaintiffs can come before me
8 and request that a bond be filed to protect the
9 Plaintiffs because they have for a long enough time
10 been stonewalled by these Defendants in attempting to
11 collect on this judgment. And this judgment was
12 affirmed by the Court of Appeals initially after I
13 entered it. Now we're dealing with a motion to vacate.
14 The Court of Appeals sent it back to me, and I will
15 deal with it after an evidentiary hearing.

16 So that's my ruling today. I am deferring
17 deciding the applicability of 9-28-3. I have a lot of
18 personal experience with that statute, and there are
19 other statutes which apply to non-individuals which may
20 shed some light on what 9-28-3 means when the words
21 "his" or "her" are used. In every case I ever heard,
22 and it's probably close to a hundred under that
23 statute, every one of the cases involved an individual.
24 I will tell you that. But that's just what has been
25 happening. That doesn't mean that the Legislature